

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office **DEC 17 1990**

Returned to applicant for correction

Corrected application filed Map filed **DEC 17 1990**The applicant **Fred L. Etchegaray and John J. Etchegaray**P.O. Box **477**

Street and No. or P.O. Box No.

of **Eureka**

City or Town

Nevada, 89316

State and Zip Code No.

hereby makes application for permission to change the

Point of Diversion

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under **30009 Certificate 10701**

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

- The source of water is **Underground**
Name of stream, lake, underground spring or other source.
- The amount of water to be changed **1.87 cfs**
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for **Irrigation and Domestic**
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for **Irrigation and Domestic**
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point **SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 5, T.22N., R.54E., M.D.B.&M.**
Describe as being within a 40-acre subdivision of public survey and by course and
or at a point from which the S $\frac{1}{4}$ corner of said Section 5 bears S30°54'00"E, a
distance to a section corner. If on unsurveyed land, it should be stated.
distance of 3876.00'
- The existing permitted point of diversion is located within **SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 5, T.22N., R.54E.,**
If point of diversion is not changed, do not answer.
M.D.B.&M. or at a point from which the NW corner of said Section 5 bears N41° 58'W,
a distance of 1891.8'
- Proposed place of use **No change**
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
- Existing place of use **312.56 acres within the N $\frac{1}{4}$ of Section 5, T.22N., R.54E.**
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
manner of use of irrigation permit, describe acreage to be removed from irrigation.
- Use will be from **January 1** to **December 31** of each year.
Month and Day Month and Day
- Use was permitted from **January 1** to **December 31** of each year.
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) **A well has been drilled, and pump and motor**
State manner in which water is to be diverted, i.e. diversion structure,
installed to irrigate the place of use as described in Item 8.
ditches, pipes and flumes, or drilled well, etc.
- Estimated cost of works **\$30,000.00**
- Estimated time required to construct works **Completed. Installed a Westinghouse 100 H.P. and pump Peabody D.O.M.**

14. Estimated time required to complete the application of water to beneficial use.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

This application is being filed to make permanent those temporary changes granted under Permit 54844-T.

By s/Bruce L. Rice, P.E.
Bruce L. Rice / Rice Engineering Inc.
P.O. Box 130, Smith NV 89430

Compared pm/ jm ap/se

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 30009, Certificate 10701 is issued subject to the terms and conditions imposed in said Permit 30009, Certificate 10701 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a measuring device must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The well drilled under Permit 30009, Certificate 10701 must be plugged in accordance with Chapter 534 of the Nevada Administrative Code within 30 days from the issuance of Permit 55535.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.87 cubic feet per second, but not to exceed 1250.24 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before June 25, 1993

Proof of completion of work shall be filed before July 25, 1993

Application of water to beneficial use shall be made on or before June 25, 1996

Proof of the application of water to beneficial use shall be filed on or before July 25, 1996

Map in support of proof of beneficial use shall be filed on or before July 25, 1996

Completion of work filed JUL 23 1992

Proof of beneficial use filed AUG 20 1996

Cultural map filed AUG 20 1996

Certificate No. 14918 Issued APR 20 1998

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
 State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 25th day of June

A.D. 19 92

[Signature]
 State Engineer